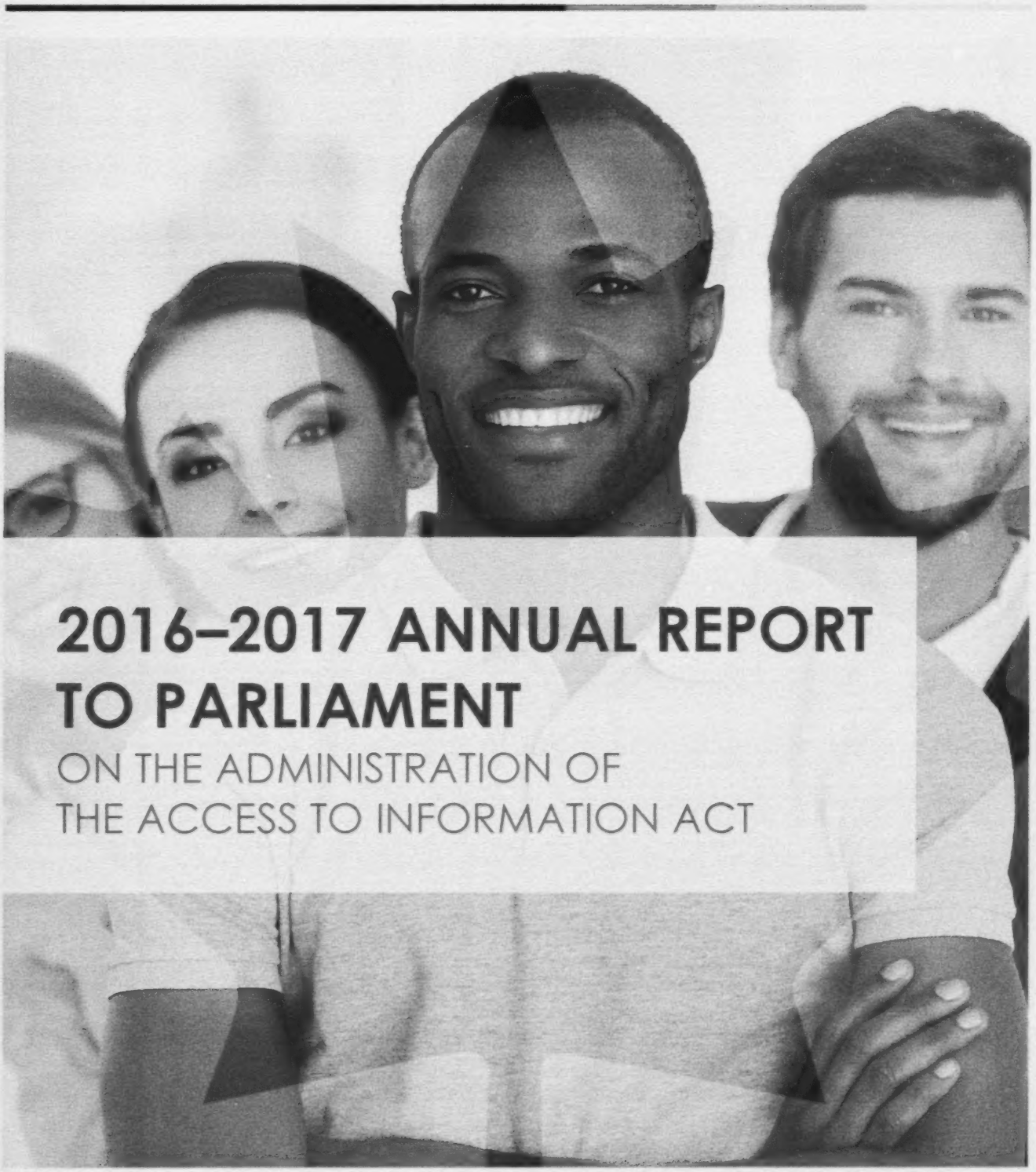
Canada Revenue Agency | Agence du revenu du Canada



2016–2017 ANNUAL REPORT TO PARLIAMENT

ON THE ADMINISTRATION OF THE ACCESS TO INFORMATION ACT

Canada

FOREWORD

Each fiscal year, the head of every government institution prepares and submits an annual report to Parliament on the administration of the Access to Information Act.

This report is tabled in Parliament in accordance with section 72 of the Access to Information Act under the direction of the minister of national revenue and the commissioner of the Canada Revenue Agency (CRA). The report describes how the CRA administered and fulfilled its obligations under the Access to Information Act between April 1, 2016, and March 31, 2017. It also discusses emerging trends, program delivery, and areas of focus for the year ahead.

THE ACCESS TO INFORMATION ACT

The Access to Information Act came into force on July 1, 1983. It gives Canadian citizens, along with persons and corporations physically present in Canada, the right to request access to federal government records.

The Access to Information Act is based on three main principles:

- Government information should be available to the public
- Exceptions to the right of access should be limited and specific
- Decisions about disclosures should be reviewable independently of government

The Access to Information Act's formal processes do not replace other ways of getting federal government information. The CRA encourages individuals, businesses, and other groups to consider getting information through the following informal methods:

- the CRA website: **cra-arc.gc.ca/menu-eng.html**
- the CRA's charities and giving, A to Z index: **cra-arc.gc.ca/charitiesandgiving**
- individual income tax enquiries (including requests for forms and publications): **1-800-959-8281**
- enquires from businesses and self-employed individuals (including requests for forms and publications): **1-800-959-5525**
- Canada child benefit, the GST/HST credit, and related provincial and territorial programs, child disability benefit, and children's special allowances enquiries: **1-800-387-1193**
- Charities Client Assistance (information about registered charities): **1-800-267-2384**
- Part XIII tax and non-resident withholding accounts: **1-855-284-5946**
- TTY (teletypewriter for persons who are deaf or hard of hearing or who have a speech impairment): **1-800-665-0354**

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OVERVIEW OF THE CANADA REVENUE AGENCY

The Canada Revenue Agency (CRA) administers tax laws for the Government of Canada and for most provinces and territories. It also administers various social and economic benefit and incentive programs delivered through the tax system. In addition, the CRA has the authority to enter into new partnerships with the provinces, territories, and other government bodies (at their request and on a cost-recovery basis) to administer non-harmonized taxes and other services. Overall, the CRA promotes compliance with Canada's tax legislation and regulations and plays an important role in the economic and social well-being of Canadians.

The minister of national revenue is accountable to Parliament for all of the CRA's activities, including administering and enforcing the Income Tax Act and the Excise Tax Act.

The Canada Revenue Agency Act provides for the establishment of a board of management consisting of 15 directors appointed by the Governor in Council. They include the chair, the commissioner and chief executive officer, a director nominated by each province, one director nominated by the territories, and two directors nominated by the Government of Canada. Under the provisions of the Canada Revenue Agency Act, the Board of Management oversees the organization and administration of the CRA, including the management of its resources, services, property, personnel, and contracts. In fulfilling this role, the Board of Management brings a forward-looking strategic perspective to the CRA's operations, fosters sound management practices, and is committed to efficient and effective service delivery.

As the CRA's chief executive officer, the commissioner is responsible for the day-to-day administration and enforcement of the program legislation that falls under the minister's delegated authority. The commissioner is accountable to the Board of Management for managing the CRA, supervising employees, and implementing policies and budgets. Moreover, the commissioner must assist and advise the minister with respect to legislated authorities, duties, functions, and Cabinet responsibilities.

The CRA is made up of 13 functional branches and five regional offices across the country.

Branches

- Appeals
- Assessment, Benefit, and Service
- Audit, Evaluation, and Risk
- Collections and Verification
- Domestic Compliance Programs
- Finance and Administration
- Human Resources
- Information Technology
- International, Large Business, and Investigations
- Legal Services
- Legislative Policy and Regulatory Affairs
- Public Affairs
- Strategy and Integration

Regions

- Atlantic
- Ontario
- Pacific
- Prairie
- Quebec

THE ACCESS TO INFORMATION AND PRIVACY DIRECTORATE

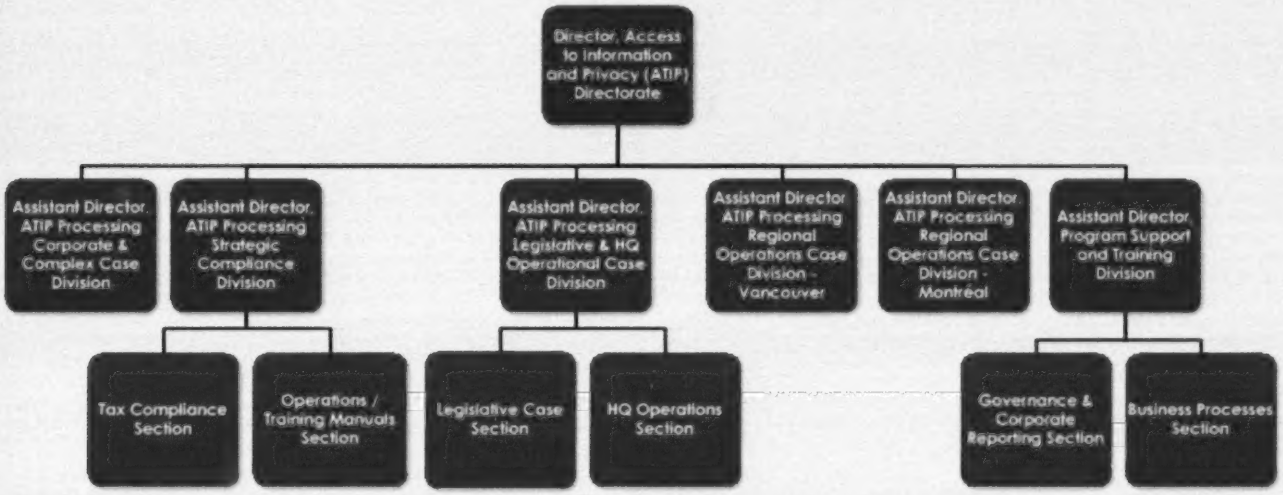
The Access to Information and Privacy Directorate helps the CRA meet its requirements under the Access to Information Act and the Privacy Act. To fulfill this mandate, the Directorate:

- responds to requests and enquiries under the Access to Information Act and the Privacy Act
- provides advice and guidance to CRA employees on requests for, and the proper management and protection of, personal information under the CRA's control
- co-ordinates the privacy impact assessment processes within the CRA, including giving expert advice to CRA employees on privacy implications, risks, and options for avoiding or reducing risks
- gives training and awareness sessions on the Access to Information Act and the Privacy Act and the practices and requirements for managing personal information
- communicates with the Treasury Board of Canada Secretariat and the offices of the information and privacy commissioners of Canada about policy and legislative requirements, complaints, and audits
- fulfills corporate planning and reporting obligations such as the CRA's annual reports to Parliament on the administration of the Access to Information Act and the Privacy Act

The director of the Access to Information and Privacy Directorate has the full delegated authority of the minister of national revenue under the Access to Information Act and the Privacy Act. The director also manages and co-ordinates the access to information and privacy program, leads strategic planning and development initiatives, and supports the assistant commissioner, Public Affairs Branch, and chief privacy officer.

The Directorate is made up of two main divisions: processing; and program support and training (within the Directorate and CRA-wide). In addition to its Headquarters office in Ottawa, there is an office in Vancouver and an office in Montréal. In fiscal year 2016–2017, an equivalent of 134 full-time employees administered the Access to Information Act and the Privacy Act.

The following chart shows the structure of the Access to Information and Privacy Directorate.


Director, Access to Information and Privacy (ATIP) Directorate
Assistant Director, ATIP Processing Corporate & Complex Case Division
Assistant Director, ATIP Processing Strategic Compliance Division
Assistant Director, ATIP Processing Legislative & HQ Operational Case Division
Assistant Director ATIP Processing Regional Operations Case Division - Vancouver
Assistant Director, ATIP Processing Regional Operations Case Division - Montréal
Assistant Director, Program Support and Training Division
Tax Compliance Section
Operations / Training Manuals Section
Legislative Case Section
HQ Operations Section
Governance & Corporate Reporting Section
Business Processes Section

THE ACCESS TO INFORMATION AND PRIVACY OVERSIGHT REVIEW COMMITTEE

The Access to Information and Privacy Oversight Review Committee is an assistant-commissioner-level committee, chaired by the chief privacy officer. The Committee was established to ensure horizontal consultation, collaboration, and decision-making on emerging access to information and privacy issues at the CRA. Among other responsibilities, the Committee identifies measures to support more effective administration of access to information and privacy matters and champions related activities.

DELEGATION OF RESPONSIBILITIES UNDER THE ACCESS TO INFORMATION ACT

As head of the CRA, the minister of national revenue is responsible for how the CRA administers the Access to Information Act and complies with the Access to Information Regulations and Treasury Board of Canada Secretariat policy instruments. Section 73 of the Access to Information Act gives the minister the authority to designate one or more officers or employees of the CRA to exercise or perform all, or part, of the minister's powers, duties, and functions under the Act.

The CRA's current delegation order for the Access to Information Act was signed by the Minister of National Revenue on January 14, 2016. It identifies specific provisions of the Access to Information Act and its regulations that the Minister delegated to various positions within the CRA.

The access to information and privacy director and assistant directors, as well as the managers of the processing units, approve responses to requests under the Access to Information Act. Delegations are also extended to the commissioner, the deputy commissioner, the assistant commissioner, Public Affairs Branch, and chief privacy officer.

Minister
of National Revenue

Ministre
du Revenu national

Ottawa, Canada K1A 0A6

Access to Information Act
Delegation Order

I, Diane Lebouthillier, Minister of National Revenue, do hereby designate, pursuant to section 73 of the *Access to Information Act*, the officers or employees of the Canada Revenue Agency who hold the positions set out in the attached Schedule to exercise or perform the powers, duties, or functions that have been given to me as head of a government institution under the provisions of the *Access to Information Act* as set out in the Schedule.

This designation replaces all previous delegation orders.

Arrêté sur la délégation en vertu de la
Loi sur l'accès à l'information

Je, Diane Lebouthillier, ministre du Revenu national, délègue par les présentes, en vertu de l'article 73 de la *Loi sur l'accès à l'information*, aux cadres ou employés de l'Agence du revenu du Canada détenteurs des postes mentionnés dans l'annexe ci-jointe les attributions dont je suis, en qualité de responsable d'une institution fédérale, investie par les dispositions de la *Loi sur l'accès à l'information* qui sont mentionnées dans l'annexe.

Le présent document remplace et annule tout arrêté antérieur.

La ministre du Revenu national,

Diane Lebouthillier
Minister of National Revenue

Signed in Ottawa, Ontario, Canada this 14th day of January, 2016
Signé à Ottawa, Ontario, Canada le 14e jour de janvier 2016

Canada

SCHEDULE – ACCESS TO INFORMATION ACT

The CRA positions that are authorized to perform the powers, duties, and functions given to the minister of national revenue as head of a government institution under the provisions of the Access to Information Act and its regulations are the following:

Commissioner

- Full authority

Deputy commissioner

- Full authority

Assistant commissioner, Public Affairs Branch, and chief privacy officer

- Full authority

Director, Access to Information and Privacy Directorate, Public Affairs Branch

- Full authority

Assistant directors, Access to Information and Privacy Directorate, Public Affairs Branch

- Full authority

Managers, Access to Information and Privacy Directorate, Public Affairs Branch

- Subsection 4(2.1); paragraphs 7(a) and (b); subsection 8(1); section 9; subsections 11(2) to (6); paragraphs 12(2)(b) and 12(3)(b); sections 13 to 16; sections 17 and 18.1; sections 19 and 20; section 21 to 26; subsections 27(1) and (4); paragraph 28(1)(b); subsections 28(2) and (4); subsection 29(1); section 33; paragraph 35(2)(b); subsections 37(4), 43(1), 44(2) and 71(1) of the Access to Information Act; subsections 6(1), 7(2) and 7(3); and sections 8 and 8.1 of the Access to Information Regulations.

INTERPRETATION AND EXPLANATION OF APPENDIX A – STATISTICAL REPORT

Appendix A provides a statistical report on the CRA's activities under the Access to Information Act for the 2016–2017 reporting period (April 1, 2016, to March 31, 2017). The following explains and interprets the statistical information.

Requests under the Access to Information Act

During the reporting period, the CRA received 2,747 new requests under the Access to Information Act. Including the 1,493 requests carried forward from 2015–2016, the CRA had 4,240 active requests in its inventory.

The following table shows the number of access to information requests the CRA received and completed, as well as the number of pages processed over the past five fiscal years.

Fiscal year	Requests received	Requests completed	Pages processed
2012–2013	3,137	3,083	1,203,253
2013–2014	2,751	2,795	1,636,782
2014–2015	3,006	2,668	1,306,661
2015–2016	3,139	2,572	1,233,194
2016–2017	2,747	3,112	1,406,334

The following table shows the breakdown of the sources of the 2,747 requests received during the 2016–2017 reporting period.

Source	Number of requests	Percentage
Media	95	3.4%
Academia	21	0.8%
Business (private sector)	648	23.6%
Organization	41	1.5%
Public	1,813	66.0%
Decline to identify	129	4.7%

Other requests

Beyond the 2,747 requests received under the Access to Information Act, the CRA processes a significant volume of other types of requests. The additional volume affects operations, since resources must be diverted to manage this workload. These additional requests include:

External consultations

In 2016–2017, the Access to Information and Privacy Directorate completed 124 consultation requests from other government institutions and organizations. A total of 7,556 pages were reviewed to respond to these requests, an increase of 19% over the previous fiscal year. For more details on external consultations, including disposition and completion times, see Part 5 of Appendix A.

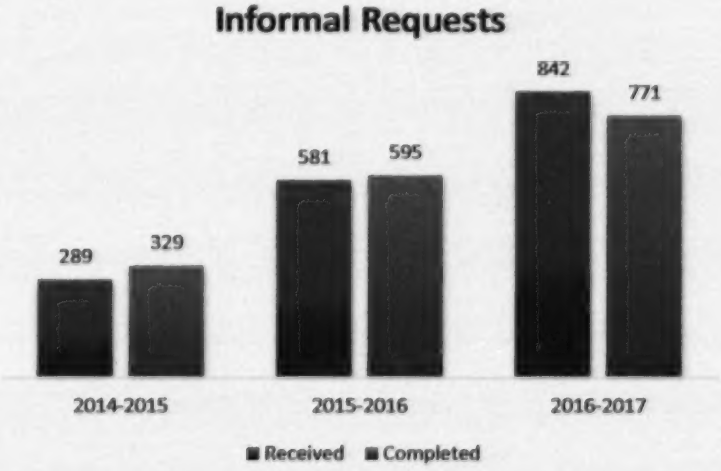
Internal consultations

The Access to Information and Privacy Directorate closed 23 internal access consultation requests received from CRA branches and regions in 2016–2017. These requests are informal reviews for the purposes of complying with the CRA's informal disclosure prerequisites and do not fall under the Access to Information Act.

Informal requests

During the fiscal year, the Access to Information and Privacy Directorate completed 771 informal requests, most of which were requests for previously released information. Informal requests are those that are not processed under the Access to Information Act. This is a 30% increase over 2015–2016 and a dramatic 134% increase over 2014–2015.

The following chart shows the significant growth in informal requests over the past three years.



General enquiries

The Directorate's Program Support and Training Division responded to 4,468 emails and 914 telephone enquiries received through the general enquiries mailbox and 1-800 line. The enquiries concerned a wide range of matters, including: how to submit an access to information or privacy request; the status of a request; and enquires that were redirected because the information requested is not kept by the CRA, such as requests about social insurance numbers.

Disposition of completed requests

During the reporting period, the Access to Information and Privacy Directorate completed 3,112 requests under the Access to Information Act.

- 510 were fully disclosed (16.4%)
- 1,661 were disclosed in part (53.4%)
- 27 were exempted in their entirety (0.9%)
- 1 was excluded in its entirety (0.03%)
- 161 resulted in no existing records (5.2%)
- 10 were transferred to another institution (0.3%)
- 702 were abandoned by requesters (22.5%)
- 40 were neither confirmed nor denied (1.3%)

The CRA completed a record number of access to information requests in 2016–2017.

For more details, see Table 2.1 of Appendix A.

Exemptions

The Access to Information Act allows an institution to refuse access to specific information. For example, information about individuals other than the requester cannot be disclosed if the individual has not given his or her consent. Exemptions are applied by analysts to support non-disclosure in these cases.

In 2016–2017, the CRA applied the following exemptions, in full or in part, for 1,688 (54%) of the 3,112 requests closed during the reporting period:

- section 13 – Information obtained in confidence (118 requests)
- section 14 – Federal-provincial affairs (15 requests)
- section 15 – International affairs and defence (44 requests)
- section 16 – Law enforcement and investigation, and security (1,156 requests)
- section 17 – Safety of individuals (5 requests)
- section 18 – Economic interests of Canada (10 requests)
- section 19 – Personal information (1,139 requests)
- section 20 – Third-party information (94 requests)
- section 21 – Operations of government (561 requests)
- section 22 – Testing procedures, tests, and audits (14 requests)
- section 23 – Solicitor-client privilege (278 requests)

- section 24 – Statutory prohibitions (1,396 requests)
- section 26 – Information to be published (0 requests)

Exclusions

The Access to Information Act does not apply to information that is already publicly available, such as government publications and material in libraries and museums. It also excludes material such as Cabinet confidences.

In 2016–2017, the CRA applied exclusions 83 times: 42 times for information that was publicly available and 41 times for Cabinet confidences.

Format of information released

Requesters can choose to receive their response package in paper, CD, or DVD format. Persons with disabilities may also request information in alternative formats, such as braille, although no such requests were received this fiscal year. Providing documents electronically significantly reduces manual processes and paper consumption.

In 2016–2017, of the 2,171 requests for which information was disclosed in full or in part, 1,963 requests (90%) were released in electronic format.

Requests for translation

Records are normally released in the language in which they exist. However, records may be translated to an official language when requested and when the institution considers it in the public interest to do so.

The CRA did not receive any requests to translate records in response to access to information requests in 2016–2017.

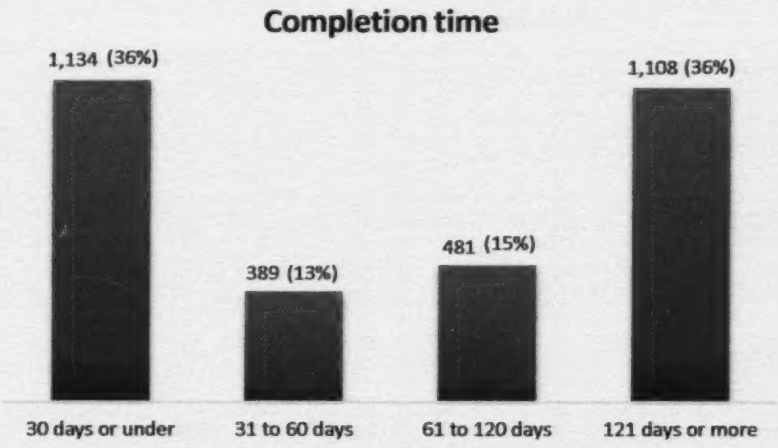
Completion time and extensions

The Access to Information Act sets the timelines for responding to access to information requests and allows time extensions when there is a large volume of records to be processed or a need to complete consultations (for example, with a government institution or third party).

540 (21%) more requests were completed in 2016–2017 compared to last fiscal.

Of the 3,112 requests closed in 2016–2017, the CRA applied extensions for 1,474 (47%) of them. Extensions were applied 89% of the time because of workload and meeting the original 30-day time limit would have resulted in unreasonable interference with CRA operations. The remaining 11% of extensions were applied to consult with third parties or other government institutions.

The following chart shows the completion times for the 3,112 requests closed in 2016–2017.



The Access to Information and Privacy Directorate completed 1,933 (62%) requests within the timelines required by law. This means that responses were provided within 30 calendar days or within the extended deadline when an extension was taken.

Deemed refusals and complexities

A deemed refusal is a request that was closed after the deadline of 30 calendar days, or if a time extension was taken, after the extended deadline.

Of the 3,112 requests closed during the reporting period, 1,179 were closed after the deadline, resulting in a deemed refusal rate of 38%.

Although the CRA continues to work toward reducing its deemed refusal rate, this remains a challenge given the high volume of requests, the broad scope of many requests, and other competing priorities, including responding to consultations and informal requests.

The Treasury Board of Canada Secretariat uses two criteria to define complexity: the number of pages to process; and the nature and sensitivity of the subject matter. Based on these criteria, the CRA handles a large number of complex requests.

For example, in 2016–2017, there was a 14% increase in the number of pages processed compared to the previous fiscal year. Despite this increase, 540 (21%) more requests were processed this fiscal year compared to the previous fiscal year.

In 2016–2017, the Directorate processed an average of 452 pages per request.

To process the 3,112 requests closed during the fiscal year, the CRA processed 1,406,334 pages. A significant number of requests involved large page volumes: 283 requests required the processing of more than 1,000 pages. Of these requests, 34 involved the processing of more than 5,000 pages. For more details, see Table 2.5.2 of Appendix A.

In addition to large page volumes, the CRA processed many sensitive requests, such as those involving tax litigation and consultation with third parties, including provincial, federal, and international bodies.

Other requests were considered complex because of the nature and sensitivity of the subject matter being processed. For more details, see Table 2.5.3 of Appendix A.

Completion time of consultations on Cabinet confidences

Although Cabinet confidences are excluded from the application of the Access to Information Act (section 69), the policies of the Treasury Board of Canada Secretariat require agencies and departments to consult their legal services to determine if the information should be excluded. If there is any doubt, or in cases when the records contain discussion papers, legal counsel must consult the Office of the Counsel to the Clerk of the Privy Council Office.

In 2016–2017, the Access to Information and Privacy Directorate consulted CRA legal services 31 times regarding Cabinet confidence exclusions. Consultations were completed within 30 days or less for 97% of these requests.

Fees

On May 5, 2016, the Treasury Board of Canada Secretariat issued an interim directive instructing federal Government departments to waive all access to information fees apart from the $5 filing fee. After this date, the CRA only collected the filing fee.

A total of $13,977 in fees was collected during the reporting period. For more details, see Part 4 of Appendix A.

Costs

In 2016–2017, the Access to Information and Privacy Directorate's direct cost to administer the Access to Information Act was $5,976,996. This excludes significant support and resources from the branches and regions. For more details, see Table 9.1 of Appendix A.

OPERATIONAL ENVIRONMENT

Request volume

The CRA's Access to Information and Privacy Directorate processes among the largest volume of access to information requests and pages of all federal institutions. In fact, the CRA historically ranks among the top five federal organizations in this regard. According to the most recent Treasury Board of Canada Secretariat statistics, in 2015–2016 the CRA processed the second largest volume of pages of all federal institutions and received the fourth largest number of requests.

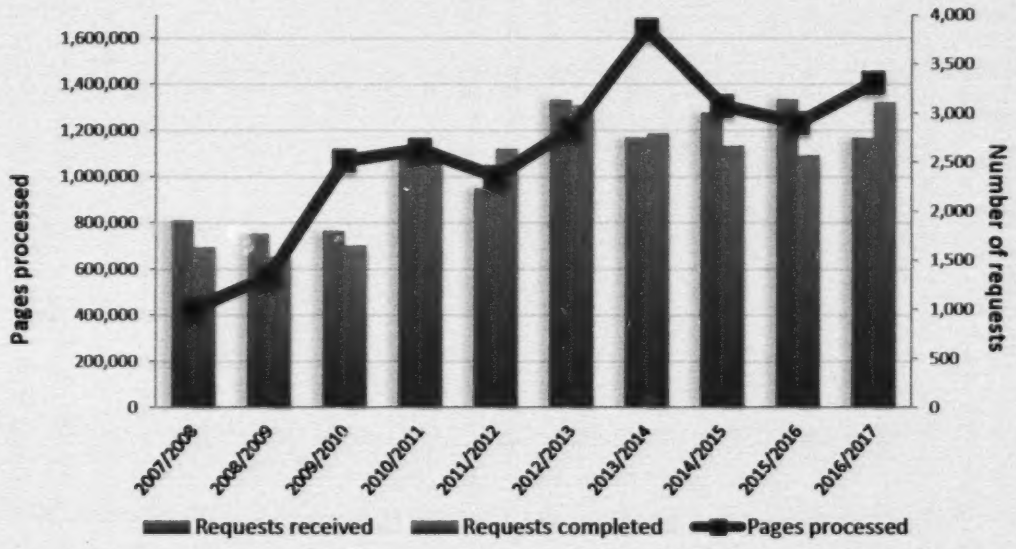
The CRA processed nearly 1.4 million pages in total, 14% more pages than the previous fiscal year.

- Volumes have grown from 1,903 requests received and just over 420,000 pages processed in 2007–2008, to 2,747 requests received and over 1.4 million pages processed in 2016–2017
- Since 1,493 requests were carried forward from the previous reporting period, the Access to Information and Privacy Directorate's total inventory in 2016–2017 was 4,240 requests
- With the 3,112 requests closed in 2016–2017, the CRA began 2017–2018 with 1,128 requests in its inventory

The CRA began the 2017–2018 fiscal year with 365 (24%) fewer carry-forward requests than in 2016–2017.

The following table shows the Directorate's workload over the past 10 fiscal years.

Workload trends



Staffing

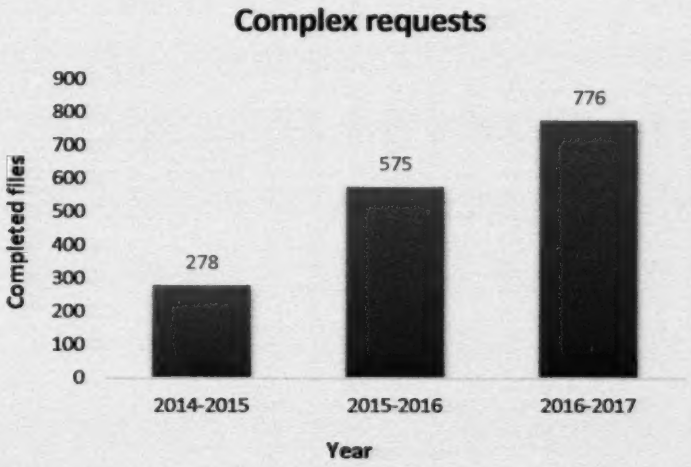
To address operational challenges, the Directorate hired more staff in the Ottawa, Montréal, and Vancouver offices as part of its staffing plan. These employees helped to process the carry-forward inventory of access and privacy requests.

Complex requests

In addition to large volumes, the CRA processes many complex requests, including those involving tax litigation or consultation with third parties such as provincial, federal, or international bodies.

In 2016–2017, the CRA processed 35% more complex requests compared to the previous reporting period and nearly three times more than 2014–2015.

The chart below shows this growth.



Modernization of the Access to Information Act

The CRA is working closely with various stakeholders on the Government's commitment to modernize the Access to Information Act.

In May 2016, the CRA participated in a panel discussion in front of the Standing Committee on Access to Information, Privacy and Ethics to discuss the current access to information climate and how proposed changes to the Access to Information Act may affect the Agency.

The CRA is an active participant on Treasury Board of Canada Secretariat-led committees and working groups created to review the proposed changes to the Act.

The CRA will make sure that any changes related to the modernization of the Access to Information Act are implemented efficiently and effectively across the Agency.

Inventory reduction action plan

The CRA's total inventory of access to information and privacy requests has grown considerably over the past several years. Indeed, between fiscal year 2013–2014 and 2015–2016, the CRA was subject to a 44% increase in total requests received. This resulted in a carry-forward of 1,493 access to information requests at the beginning of 2016–2017.

The CRA succeeded in reducing its total carry-forward inventory by 26% this fiscal year.

To address this challenge, in October 2016, the CRA implemented an action plan to reduce its total access to information and privacy inventory.

A target was set to reduce the access to information and privacy carry forward inventory by 22% (± 5 %) by March 31, 2017.

In total, in 2016–2017, the CRA closed 3,112 access to information requests, an increase of 540 (21%) requests over the previous reporting period and the highest number of requests ever completed. Of the 3,112 requests closed, 1,139 were carried forward from the previous fiscal year.

Lean continuous improvement

In 2016-2017, the CRA completed a Lean Six Sigma review of processes within the Access to Information and Privacy Directorate to identify ways to better use the Directorate's resources, improve processes, and complete requests more efficiently. Lean is a continuous improvement methodology that maximizes efficiency and effectiveness in the life-cycle of a process.

In January 2017, the Directorate collaborated with stakeholders from across the CRA and identified more than 30 areas of potential improvement in its processes. In order to address these areas, an action plan was established with targeted time frames for completion. Five of these deliverables have been implemented to date, including streamlining the file verification process and increasing efficiencies in the intake phase.

The remaining items in the action plan will be completed or introduced in fiscal year 2017–2018.

Quality assurance

In 2016–2017, the CRA implemented quality assurance tools to promote consistency in file processing and to make sure that information-safeguarding procedures are followed at all times. The tools consist of:

- a review checklist to help analysts make sure that files are being processed completely and accurately
- an 'order of a file' tool to guide analysts through the expected order of paper files
- an analysis review worksheet to serve as a communication tool between the analyst and the reviewer or manager

To support this initiative, the access to information and privacy tracking system was updated to include a quality assurance report. This report randomly selects 5% of completed access to information and privacy requests for a quality assurance review.

Open government

The CRA supports open government by:

- continually expanding and enhancing its services and web presence to ensure Canadians have easy access to the information they need
- proactively disclosing information to the public about CRA corporate plans and procedures, acts, regulations, completed access to information requests, and more
- making anonymized and aggregated datasets available on the Government of Canada's Open Government portal and responding to enquiries and suggestions from the public
- adapting to new technology, consulting with Canadians, and seeking continuous improvements to maximize the effectiveness of CRA programs and services
- collaborating with the Treasury Board of Canada Secretariat and other partners for ongoing support of the Government of Canada's commitment to openness and transparency

In 2016–2017, the Access to Information and Privacy Directorate worked closely with the Strategy and Integration Branch to identify open information activities as part of the CRA's Open Government Implementation Plan. These activities included those linked to the Government of Canada's plans to modernize the Access to Information Act.

CRA website

In 2016-2017, the access to information and privacy webpages on the CRA website were revised to better inform taxpayers about other ways to request information beyond making an access to information request or a privacy request. These revisions support open government by promoting informal methods of accessing information.

The CRA will explore more ways to provide information to taxpayers through its website in the 2017–2018 fiscal year.

TRAINING AND AWARENESS

Training

The Access to Information and Privacy Directorate provides training to CRA employees on the requirements of, and responsibilities under, the Access to Information Act and the Privacy Act. This training is tailored to the needs of specific audiences. For instance, employees who have little or no knowledge of the subject are encouraged to take the ATIP Fundamentals course offered by the Canada School of Public Service. Subject matter experts are advised to take more specific training, such as on how to provide complete recommendations to access to information and privacy analysts when they send records in response to requests.

The CRA's Legal Services Branch also provides specialized training on the Access to Information Act and the Privacy Act to advise CRA staff on how to prepare documents for release in CRA reading rooms, as well as on the legal interpretation of the Access to Information Act and Privacy Act for specialized CRA staff such as auditors.

In 2016–2017, over 1,000 CRA employees across Canada participated in instructor-led and online training. In total, this fiscal year:

- 691 employees participated in 13 training sessions
- 294 employees attended the Canada School of Public Service "ATIP Fundamentals" online course
- 160 employees participated in specialized Legal Services training

Due to a shift from instructor-led to online training, the exact number of employees who attended online training is likely much larger since these training sessions are frequently attended by large groups of employees under a single registration.

Online training and awareness

The Directorate continues to look at innovative ways to reach wider audiences and provide more specialized training online.

For example, in March 2016, the Directorate delivered a series of webinars to access to information and privacy contacts through the National Technical Capacity Forum. These presentations were later posted in the forum for CRA employees to download as needed. In 2016-2017, these presentations were downloaded 246 times by CRA employees.

In addition, the Directorate is collaborating with the Human Resources Branch to develop a suite of 10 web-based modules that will offer specialized technical training to access to information and privacy analysts, as well as a formal disclosure KnowHow product for all employees.

Furthermore, the Directorate is supporting the Strategy and Integration Branch in the development of a KnowHow product for CRA employees that provides broad information about informal disclosure.

Both KnowHow products will provide CRA employees and their managers with easy access to information and user-friendly instructions. These products will be implemented in 2017–2018.

Raising awareness

Every year, about 40 countries and 60 non-government organizations celebrate Right to Know Week to raise awareness of an individual's right to access government information, while promoting freedom of information as essential to both democracy and good governance.

For the sixth consecutive year, the CRA celebrated Right to Know Week with the following activities:

- a login banner promoted the theme of the week
- a Q&A on informal disclosure was posted to the CRA's intranet site
- the Assistant Commissioner of the Public Affairs Branch sent a message to all CRA employees promoting the week
- the Commissioner tweeted during the week, promoting the importance of the right of access

Beyond Right to Know Week, the Access to Information and Privacy Directorate promotes access to information roles and responsibilities through monthly newsletters and quarterly teleconferences with access to information and privacy contacts in all CRA branches and regions. Additionally, the Directorate provides briefings on matters related to access to information and privacy to CRA senior management, as required.

POLICIES, GUIDELINES, AND PROCEDURES

The CRA continues to promote and support compliance with the Treasury Board of Canada Secretariat policies, guidelines, and procedures through its communications and training.

Directive on the Disclosure of Taxpayer and Other Information

During the fiscal year, the CRA implemented the Directive for the Disclosure of Taxpayer and Other Information, which outlines the accountabilities of CRA officials for informal and formal disclosures across the Agency. Work was also started to supplement the Directive with additional guidance documents to expand awareness and understanding on informal disclosure responsibilities and procedures across the CRA.

In 2017–2018, the CRA will continue to explore ways to further support program areas to enhance the proactive and informal release of information.

MONITORING

The CRA's Access to Information and Privacy Directorate produces a monthly report that captures key statistical information about the CRA's inventory of access to information and privacy requests. This report monitors active and completed requests including the number of requests received and completed, pages received and processed, backlog inventory, complexity, and deemed refusal.

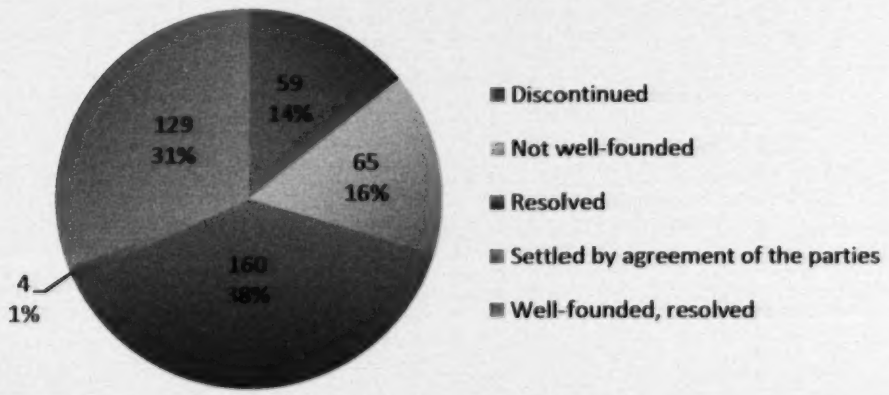
Management regularly uses this report to monitor trends, measure the Directorate's performance, and determine any process changes needed to improve performance. Additionally, it is presented monthly to senior management at the commissioner-chaired Agency Management Committee.

COMPLAINTS, INVESTIGATIONS, AND FEDERAL COURT CASES

In 2016–2017, the CRA closed 417 complaints. This is more than twice as many as were closed the previous year.

The following chart shows the disposition of the complaints closed during the fiscal year.

Complaint dispositions



For definitions of the disposition categories, go to:
oic-ci.gc.ca/eng/inv-inv_disposition-categories-des-plaintes.aspx.

Seven complaints were pursued to the Federal Court in 2016–2017. Six of these complaints were filed by the same requester and are related to 11 court cases that are ongoing from 2015–2016.

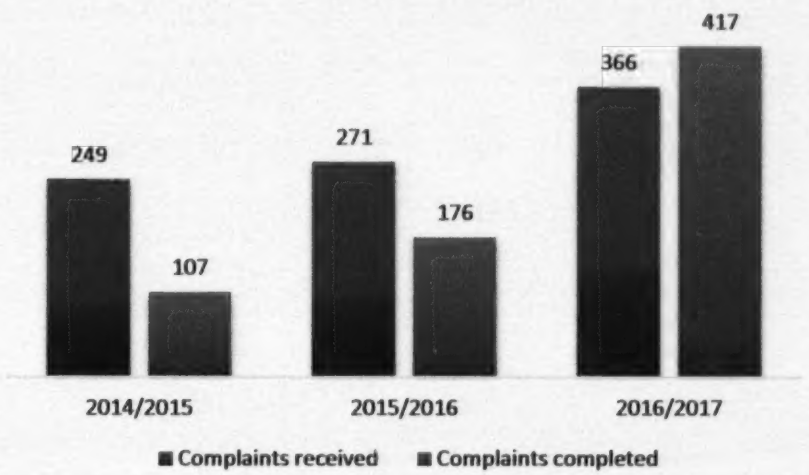
Increase in complaints

The total number of complaints received from the Office of the Information Commissioner increased significantly during the reporting period compared to previous fiscal years. Most of these complaints were administrative and were due, in part, to time delays which are directly related to operational pressures.

During 2016–2017, the CRA received 366 access to information complaints. This compares to 271 received last fiscal year. In the last three years, the CRA has seen a 47% increase in the number of complaints received.

Despite the increase in complaints received this fiscal, in 2016–2017 the CRA closed the highest number of complaints in five years.

The following chart shows the increase in complaints received since 2014–2015.



COLLABORATION WITH OVERSIGHT BODIES AND OTHER ORGANIZATIONS

The CRA continues to work closely with the Office of the Information Commissioner, the Treasury Board of Canada Secretariat, and other organizations to strengthen access to information at the CRA.

Office of the Information Commissioner of Canada

The CRA worked closely with the Office of the Information Commissioner of Canada in 2016–2017, particularly in regard to complaints management and co-ordination of a certification letter process.

Office of the Information Commissioner of Canada complaint pilot project

The CRA participated in the Office of the Information Commissioner of Canada's simplified investigation complaint pilot project involving the investigation of administrative complaints concerning delays, time extensions, and fees.

The results of the pilot project were very positive and complaints were closed much faster than in past fiscal years.

In 2016–2017, the CRA closed 182 administrative complaints—more than twice as many as were closed the previous year.

Certification letters

In March 2015, the Office of the Information Commissioner requested that the CRA complete certification under section 36 of the Access to Information Act for its investigations into select missing records complaints. In some instances, more records were located.

To provide assurance to requesters that all records are appropriately searched for and retrieved, the CRA continues to work with the Office of the Information Commissioner of Canada to introduce certification as part of the regular access to information and privacy process.

Treasury Board of Canada Secretariat

The CRA strengthened its relationship with the Treasury Board of Canada Secretariat throughout the fiscal year by:

- consulting with the Treasury Board of Canada Secretariat Information and Privacy Policy Division on a wide-range of subjects, such as policy and legal interpretation
- participating in access to information and privacy community meetings

- working closely with the Treasury Board of Canada Secretariat to review the proposed changes to the Access to Information Act to assess the potential impact of any modifications on the CRA

Office of the Taxpayers' Ombudsman

In 2017, as a follow-up to the Taxpayers' Ombudsman's Acting on ATIP report (2012), the Assistant Commissioner of the Public Affairs Branch and senior management from the Strategy and Integration Branch met with the Taxpayers' Ombudsman to inform her of the CRA's efforts in responding to the recommendations in the report. The CRA has taken decisive steps to address all recommendations in this report.

CONCLUSION

In keeping with the requirements of the Access to Information Act, the CRA is committed to providing all Canadians with access to information. In 2016–2017, the CRA continued to make significant progress in addressing challenges by: implementing the inventory reduction plan; introducing processing efficiencies through the Lean method; and responding to recommendations from oversight bodies to enhance access to information processes.

In 2017–2018, the CRA will continue these efforts by:

- further promoting the use of informal disclosure
- promoting continuous improvement initiatives, including applying Lean methodology and monitoring progress
- continuing to focus on reducing access to information and privacy inventory through the inventory reduction plan
- monitoring files through the quality assurance process
- enhancing awareness about access-related issues through new and innovative tools

APPENDIX A – STATISTICAL REPORT

Statistical Report on the Access to Information Act

Name of institution: Canada Revenue Agency
Reporting period: April 1, 2016 to March 31, 2017

PART 1 – Requests under the Access to Information Act

1.1 Number of requests

	Number of requests
Received during reporting period	2,747
Outstanding from previous reporting period	1,493
Total	4,240
Closed during reporting period	3,112
Carried over to next reporting period	1,128

1.2 Sources of requests

Source	Number of requests
Media	95
Academia	21
Business (Private sector)	648
Organization	41
Public	1,813
Decline to identify	129
Total	2,747

1.3 Informal requests

Completion time							
1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	More than 365 days	Total
192	19	35	99	83	342	1	771

PART 2 – Requests closed during the reporting period

2.1 Disposition and completion time

Disposition of requests	Completion time							
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	More than 365 days	Total
All disclosed	42	186	129	79	21	33	20	510
Disclosed in part	22	220	207	335	214	376	287	1,661
All exempted	0	7	3	3	3	5	6	27
All excluded	0	0	0	0	0	0	1	1
No records exist	19	52	21	38	8	9	14	161
Request transferred	10	0	0	0	0	0	0	10
Request abandoned	489	73	29	24	10	15	62	702
Neither confirmed nor denied	10	4	0	2	0	24	0	40
Total	592	542	389	481	256	462	390	3,112

2.2 Exemptions

Section	Number of requests	Section	Number of requests	Section	Number of requests	Section	Number of requests
13(1)(a)	24	16(1)(b)	296	16.4(1)(b)	0	20(1)(c)	41
13(1)(b)	2	16(1)(c)	748	16.5	3	20(1)(d)	2
13(1)(c)	90	16(1)(d)	0	17	5	20.1	0
13(1)(d)	2	16(2)	9	18(a)	0	20.2	0
13(1)(e)	0	16(2)(a)	0	18(b)	0	20.4	0
14	0	16(2)(b)	0	18(c)	0	21(1)(a)	190
14(a)	12	16(2)(c)	68	18(d)	9	21(1)(b)	359
14(b)	3	16(3)	0	18.1(1)(a)	1	21(1)(c)	2
15(1)	6	16.1(1)(a)	2	18.1(1)(b)	0	21(1)(d)	10
15(1) - International Affairs	38	16.1(1)(b)	1	18.1(1)(c)	0	22	13
15(1) - Defence of Canada	0	16.1(1)(c)	1	18.1(1)(d)	0	22.1(1)	1
15(1) - Subversive Activities	0	16.1(1)(d)	0	19(1)	1,139	23	278
16(1)(a)(i)	8	16.2(1)	0	20(1)(a)	1	24(1)	1,396
16(1)(a)(ii)	20	16.3	0	20(1)(b)	50	26	0
16(1)(a)(iii)	0	16.4(1)(a)	0	20(1)(b.1)	0		

2.3 Exclusions

Section	Number of requests	Section	Number of requests	Section	Number of requests
68(a)	42	69(1)(a)	3	69(1)(g) re (b)	0
68(b)	0	69(1)(b)	0	69(1)(g) re (c)	2
68(c)	0	69(1)(c)	0	69(1)(g) re (d)	4
68.1	0	69(1)(d)	2	69(1)(g) re (e)	5
68.2(a)	0	69(1)(e)	2	69(1)(g) re (f)	6
68.2(b)	0	69(1)(f)	3	69.1(1)	0
69(1)	1	69(1)(g) re (a)	13		

2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	82	428	0
Disclosed in part	126	1,535	0
Total	208	1,963	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Disposition of requests	Number of pages processed	Number of pages disclosed	Number of requests
All disclosed	25,003	25,003	510
Disclosed in part	1,256,379	1,069,428	1,661
All exempted	10,277	0	27
All excluded	1,102	0	1
Request abandoned	113,573	0	702
Neither confirmed nor denied	0	0	40
Total	1,406,334	1,094,431	2,941

2.5.2 Relevant pages processed and disclosed by size of requests

Disposition of requests	Less than 100 pages processed		101-500 pages processed		501-1000 pages processed		1001-5000 pages processed		More than 5000 pages processed	
	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed
All disclosed	435	8,600	71	13,957	4	2,446	0	0	0	0
Disclosed in part	552	20,955	614	158,505	240	171,575	227	438,595	28	279,798
All exempted	27	0	0	0	0	0	0	0	0	0
All excluded	1	0	0	0	0	0	0	0	0	0
Request abandoned	654	0	11	0	9	0	22	0	6	0
Neither confirmed nor denied	40	0	0	0	0	0	0	0	0	0
Total	1,709	29,555	696	172,462	253	174,021	249	438,595	34	279,798

2.5.3 Other complexities

Disposition	Consultation required	Assessment of fees	Legal advice sought	Other	Total
All disclosed	0	0	0	13	13
Disclosed in part	0	1	8	41	50
All exempted	0	0	3	0	3
All excluded	0	0	0	0	0
Request abandoned	0	1	3	41	45
Neither confirmed nor denied	0	0	0	0	0
Total	0	2	14	95	111

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of requests closed past the statutory deadline	Principal reason			
	Workload	External consultation	Internal consultation	Other
1,179	976	21	5	177

2.6.2 Number of days past deadline

Number of days past deadline	Number of requests past deadline where no extension was taken	Number of requests past deadline where an extension was taken	Total
1 to 15 days	24	69	93
16 to 30 days	21	47	68
31 to 60 days	30	43	73
61 to 120 days	67	77	144
121 to 180 days	90	107	197
181 to 365 days	184	155	339
More than 365 days	109	156	265
Total	525	654	1,179

2.7 Requests for translation

Translation requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
Total	0	0	0

Part 3 – Extensions

3.1 Reasons for extensions and disposition of requests

Disposition of requests	9(1)(a) Interference with operations	9(1)(b) Consultation		9(1)(c) Third-party notice
		Section 69	Other	
All disclosed	178	0	34	3
Disclosed in part	960	1	89	8
All exempted	13	0	5	1
All excluded	1	0	0	0
No records exist	67	0	3	3
Request abandoned	98	0	7	3
Total	1,317	1	138	18

3.2 Length of extensions

Length of extensions	9(1)(a) Interference with operations	9(1)(b) Consultation		9(1)(c) Third- party notice
		Section 69	Other	
30 days or less	381	1	40	10
31 to 60 days	349	0	65	6
61 to 120 days	445	0	32	1
121 to 180 days	56	0	1	1
181 to 365 days	56	0	0	0
365 days or more	30	0	0	0
Total	1,317	1	138	18

Part 4 – Fees

Fee type	Fees collected		Fees waived or refunded	
	Number of requests	Amount $	Number of requests	Amount $
Application	2,727	$13,635	134	$670
Search	2	$250	0	$0
Production	0	$0	0	$0
Programming	0	$0	0	$0
Preparation	0	$0	0	$0
Alternative format	0	$0	0	$0
Reproduction	1	$92	0	$0
Total	2,730	$13,977	134	$670

Part 5 – Consultations received from other institutions and organizations

5.1 Consultations received from other government institutions and organizations

Consultations	Other government institutions	Number of pages to review	Other organizations	Number of pages to review
Received during reporting period	123	6,989	2	243
Outstanding from the previous reporting period	12	1,057	1	315
Total	135	8,046	3	558
Closed during the reporting period	123	7,336	1	220
Pending at the end of the reporting period	12	710	2	338

5.2 Recommendations and completion time for consultations received from other Government institutions

Recommendation	Number of days required to complete consultation requests							
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	More than 365 days	Total
Disclose entirely	19	46	6	0	0	0	0	71
Disclose in part	4	12	10	5	4	1	0	36
Exempt entirely	1	5	0	0	0	0	0	6
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	4	3	2	0	0	0	1	10
Total	28	66	18	5	4	1	1	123

5.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of days required to complete consultation requests							
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	More than 365 days	Total
Disclose entirely	0	0	1	0	0	0	0	1
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other organization	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	1	0	0	0	0	1

Part 6 – Completion time of consultations on Cabinet confidences

6.1 Requests with Legal Services

Number of days	Less than 100 pages processed		101-500 pages processed		501-1000 pages processed		1001-5000 pages processed		More than 5000 pages processed	
	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed
1 to 15	29	363	0	0	0	0	0	0	0	0
16 to 30	1	76	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	1	31	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	31	470	0	0	0	0	0	0	0	0

6.2 Requests with Privy Council Office

Number of days	Less than 100 pages processed		101-500 pages processed		501-1000 pages processed		1001-5000 pages processed		More than 5000 pages processed	
	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed
1 to 15	29	363	0	0	0	0	0	0	0	0
16 to 30	1	76	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	1	31	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	31	470	0	0	0	0	0	0	0	0

Part 7 – Complaints and investigations

Section 32	Section 35	Section 37	Total
366	23	417	806

Part 8 – Court action

Section 41	Section 42	Section 44	Total
7	0	0	7

Part 9 – Resources related to the Access to Information Act

9.1 Costs

Expenditures		Amount $
Salaries		$4,615,332
Overtime		$170,852
Goods and Services		$1,190,812
• Professional services contracts	$998,160	
• Other	$192,652	
Total		$5,976,996

9.2 Human Resources

Resources	Person years dedicated to access to information activities
Full-time employees	64.00
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	10.50
Students	0.50
Total	75.00